

Rights of Way of the Town of Rockport
Minutes of the Meeting of February 23, 2015
Approved
Rockport Town Hall

The meeting called to order at 7:00 PM, Tom Kerans presiding.

Members Present:

Tom Kerans, Marcia Siegel, Mary Devaney, Phil Morrow, Bill Mueller, Jane Moginot

Members Absent: Jill Solomon

Attendees: Jeff Hunter, Ted Tarr, Phyllis Krenn, Diane Cartwright and Tom Mikus, 73 Marmion Way

Approval of Minutes

Minutes of 11-27-2014 were approved. The Committee does not hold meetings in December. The January meeting was cancelled because of storm conditions.

CATS

Bill and Mary attended a CATS meeting regarding management of volunteers. Bill gave a report of his experience and strategies. In the future, we plan to share volunteer lists with other North Shore trail related organizations. CATS is willing to act as a clearing house and will send out "blast" emails notifying volunteers of events.

Land Use Seminar

The Land Use Seminar was held December 4, 2015.

The following are some take away ideas which apply to our committee:

1. The town wants us to have documentation and and be on solid legal ground wherever we work. To ensure this, we must have appropriate documentation from deeds before dealing with owners. Ideally, relevant documentation needs to be portable so we can show it to anyone who questions what we are doing. For example, we need to carry documentation showing easements and the town's legal right to keep the Atlantic Path clear and in good repair. Bill offered to keep documentation of contacts.
2. Adverse possession can be claimed if a path is used regularly for 20 years without prior agreement with the owner. If the owner has agreed to passage, adverse possession cannot be claimed. Documentation of paths being hiked should be part of our mission and kept in our records. Ted Tarr has records of the Sunday walks he conducts which illustrate that trails in Dogtown have been hiked for years. This could be helpful in the case of an owner trying to block a trail.
3. The term ***easement*** is the only legal standard for rights of way type usage.
4. Liability forms should be signed by all volunteers who work with us.

During discussion, it was agreed that we need to plan in advance before acting on a project. Research must be done on a case by case basis to support proposed activities. We should then go to the town and request clearance so that we have town support and backup should problems arise. Committee members expressed frustration at time wasted arguing over permissions, rights, and boundaries.

Earth Day Plans

Earth Day is actually on a Wednesday, but will be observed on the following weekend, April 25 and 26, 2015. Bill Mueller has been planning events with Alice Tonry of Essex County Greenbelt. ECG volunteers will help us with our annual cleanup on Saturday. We are invited to join them on Sunday at the Cox Reservation in Essex for an Earth Day Fair.

LA, Sacramento, Oakland Paths

We need to discuss these trails with Linda Sanders to determine their actual status and to request the town's support for clearing. It is believed the town actually owns easements for some of these paths. We should have this in writing. Apparently, some abutters oppose the clearing of these paths and have placed obstructions across them.

Management Report

Budget

We have a \$1900 credit with Matt Natti Arborist

\$2756.00 is in account as of February 28, 2015.

Only expenditure this fiscal year is \$548.00 to Gloucester Graphics for blaze markers

Other Special Revenue: Rights of Way Gifts

\$4124.37 is the balance of gift account.

Captain's Reports

Hillside Road

Hillside Road is blocked again, this time by a trailer. We are awaiting the outcome of an action taken by an abutter whose access is blocked.

Atlantic Path

Snow from recent storms blocks all passage. it is impossible to determine damage at this time.

Cathedral Avenue

Due to the snow, Bill will was unable to follow up on this. He will report at the next meeting.

New Business

The Bamboo Company has bought Terry Duffy's old property. Apparently, they are okay with hikers on the path.

Trail Guides

Toad Hall requested (10) trail guides. Phyllis will take care of this.

Meeting adjourned at 8:15 PM.

Respectfully submitted,

Mary Devaney
Secretary

Next meeting March 23, 2015